

(3) A HEARING HELD BY THE COMMISSIONER TO DETERMINE WHETHER AN INSURER IS BEING OPERATED IN A HAZARDOUS MANNER THAT COULD RESULT IN ITS IMPAIRMENT IS NOT REQUIRED TO BE OPEN TO THE PUBLIC IF:

(I) THE INSURER REQUESTS THAT THE HEARING NOT BE A PUBLIC HEARING; AND

(II) THE COMMISSIONER DETERMINES THAT IT IS NOT IN THE INTEREST OF THE PUBLIC TO HOLD A PUBLIC HEARING.

(B) RIGHTS OF PARTIES.

(1) THE COMMISSIONER SHALL ALLOW ANY PARTY TO A HEARING TO:

(I) APPEAR IN PERSON AND BE REPRESENTED BY COUNSEL;

(II) BE PRESENT WHILE EVIDENCE IS GIVEN;

(III) HAVE A REASONABLE OPPORTUNITY TO INSPECT ALL DOCUMENTARY EVIDENCE AND TO EXAMINE WITNESSES; AND

(IV) PRESENT EVIDENCE.

(2) ON REQUEST OF A PARTY, THE COMMISSIONER SHALL ISSUE SUBPOENAS TO COMPEL ATTENDANCE OF WITNESSES OR PRODUCTION OF EVIDENCE ON BEHALF OF THE PARTY.

(C) INTERVENTION.

THE COMMISSIONER SHALL ALLOW ANY PERSON THAT WAS NOT AN ORIGINAL PARTY TO A HEARING TO BECOME A PARTY BY INTERVENTION IF:

(1) THE INTERVENTION IS TIMELY; AND

(2) THE FINANCIAL INTERESTS OF THE PERSON WILL BE DIRECTLY AND IMMEDIATELY AFFECTED BY AN ORDER OF THE COMMISSIONER RESULTING FROM THE HEARING.

(D) RULES OF PLEADING OR EVIDENCE.

FORMAL RULES OF PLEADING OR EVIDENCE NEED NOT BE OBSERVED AT A HEARING.

(E) RECORD OF PROCEEDINGS.

(1) ON TIMELY WRITTEN REQUEST BY A PARTY TO A HEARING, THE COMMISSIONER SHALL HAVE A FULL STENOGRAPHIC RECORD OF THE PROCEEDINGS MADE BY A COMPETENT REPORTER AT THE EXPENSE OF THAT PARTY.

(2) IF THE STENOGRAPHIC RECORD IS TRANSCRIBED, A COPY SHALL BE GIVEN ON REQUEST TO ANY OTHER PARTY TO THE HEARING AT THE EXPENSE OF THAT PARTY.